



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/551,979

10/05/2005

Michael Gritzman

ZNA-PT015

3444

3624 7590 11/24/2009

VOLPE AND KOENIG, P.C.  
UNITED PLAZA, SUITE 1600  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103

EXAMINER

BELOUSOV, ANDREY

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

11/24/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/551,979	<b>Applicant(s)</b> GRITZMAN ET AL.	
	<b>Examiner</b> ANDREY BELOUSOV	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 37-57 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 37-57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to the original filing of 7/15/2009. Claims 1-36 have been cancelled. Claims 37-57 are pending and have been considered below.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 37-49, 51-53, 57 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown (7,146,573.)

**Claim 37, 57:** Brown discloses a method for windowing and controlling system thereof comprising interactive user interfaces for communication services and computer related applications on a computer device providing user interactions via windows on a display, wherein the method comprises the steps of:

- a. using a window (Fig. 2: 54) for a specific interactive user interface application or service (Fig. 2: e.g. word processing),
- b. selecting a starting predefined graphical appearance (Fig. 2: 54) for the window representing the specific interactive user interface or service from a set of

predefined windows of different sizes for windows (large: Fig. 3: 54; minimized: Fig. 3: 56),

- c. linking the selected starting predefined appearance of the window to at least one action (2:33-35 activity), related to the specific application of the interactive user interface or service provided for in this window,
- d. displaying instances of the selected starting predefined appearance of the window (Fig. 2: 54, Fig. 4: 54) on the display as a series of evolving instances of the window, wherein each respective displayed instance is from the set of predefined windows of different sizes (large: Fig. 3: 54; minimized: Fig. 3: 56), wherein the first instance in the displayed series comprises the selected starting predefined appearance for the window (Fig. 2: 54),
- e. continuing with steps a) to d) wherein step a) comprises selecting another window (Fig. 2: 52) for another specific interactive user interface application or service, and continuing selecting other windows for other specific applications or services that are present in the computer device.

**Claim 38:** Brown discloses the method according to claim 37, further comprising the step of retaining (2:33-35; i.e. keeping the window active for an undefined period of time) the selected predefined basic shape (Fig. 2: 54) comprising the predefined graphical appearance of the starting instance of the evolving series of displayed instances throughout all the displayed instances of the window for a specific interactive user application or service.

**Claim 39:** Brown discloses the method according to claim 37, wherein the step of displaying the evolving series of displayed instances of a window for a specific application or service comprises displaying at least one instance with different shape or graphical appearance, respectively (Fig. 3: 56.)

**Claim 40:** Brown discloses the method according to claim 37, wherein the step of linking the selected starting predefined graphical appearance for a window to a specific interactive user application or service further comprises using at least one parameter (activity parameter, 2:33-47) determining the graphical appearance of the displayed instances of the window.

**Claim 41:** Brown discloses the method according to claim 37, wherein the evolving series of displayed instances of a window for a specific application or service comprises three different displayed sizes of the instances, respectively (large: Fig. 3: 54; minimized: Fig. 3: 56; 8:51-55.)

**Claim 42:** Brown discloses the method according to claim 37, wherein the evolving series of displayed instances of a window for a specific application or service comprises two different displayed sizes of the instances, respectively (large: Fig. 3: 54; minimized: Fig. 3: 56.)

Art Unit: 2174

**Claim 43:** Brown discloses the method according to claim 37, wherein the step of displaying the evolving series of instances of a window for a specific application or service may be interrupted by user actions or system actions, thereby causing the interrupted instance of the window to be resized and displayed in a larger predefined size (7:58-60; Fig. 7: 100.)

**Claim 44:** Brown discloses the method according to claim 37, wherein the step of displaying the evolving series of instances of a window for a specific application or service may be interrupted by user actions or system actions, thereby causing the interrupted instance of the window to be resized and displayed in a smaller predefined size (7:58-60; Fig. 7: 100.)

**Claim 45:** Brown discloses the method according to claim 37, wherein the step of displaying the evolving series of instances of a window for a specific application or service further comprises controlling the displaying according to a parameter defining an importance parameter for the window (activity parameter, 2:33-47.)

**Claim 46:** Brown discloses the method according to claim 45, wherein the importance parameter is a number between zero and one, one being the highest importance (Fig. 6: 72.)

Art Unit: 2174

**Claim 47:** Brown discloses the method according to claim 46, wherein the importance parameter of a window for a specific application or service is used to scale a size of an instance of the window proportional to the value of the importance parameter (Fig. 6: 72.)

**Claim 48:** Brown discloses the method according to claim 37, wherein the step of displaying the series of evolving instances comprises displaying at least one graphical image representing a state of a communication service or a computer related application running in the computer device in all the instances of the respective windows for the communication service and the computer related application (Fig. 4: 60; Fig. 5: 62.)

**Claim 49:** Brown discloses the method according to claim 37, wherein the step of displaying the series of evolving instances of windows further comprises: providing a parameter (Fig. 5: CPU usage percentage) indicating a state (Fig. 5: activity) of an application or a service running in the computer device, arranging at least one window as a window representing the state of the application or service (Fig. 5: 54, current activity), modifying the size of the at least one arranged window, or modifying a location for displaying the at least one arranged window, respectively, on the display in accordance with a value of the parameter indicating the state of the application or service (Fig. 6: 74.)

Art Unit: 2174

**Claim 51:** Brown discloses the method according to claim 37, further comprising the steps of: arranging at least one window as an user interface for an application or service (Fig. 5: 54), reading or mirroring a value for at least one parameter (Fig. 5: CPU utilization) for the application or service via the user interface (Fig. 5: 62); displaying a content (Fig. 2: 54, sample text) comprised in the series of evolving instances for the at least one window, wherein the content is changed as a function of the value of the at least one parameter and the size of the instance of the at least one window being displayed (Fig. 5: 54.)

**Claim 52:** Brown discloses the method according to claim 37, wherein the step of selecting a basic geometrical shape and graphical appearance for a window for a specific interactive user application or service is provided for in a remote computer device or system, and then downloaded as needed via a network in communication with the computer device (8:44-55; 5:33-45.)

**Claim 53:** Brown discloses the method according to claim 37, further comprising the steps of: receiving input from an input device such as a keyboard, a mouse, a stylus or artifact, a soft keyboard in communication with the computer device either directly connected to the computer device, or via a network in communication with the computer device (Fig. 1: 26), transferring the input via a user interface arranged in at least one window for an application or service in the computer device, wherein the window is activated by the application, user interaction with the computer device, or service, or



Art Unit: 2174

actions in the computer device (5:62, by CPU utilization), if the recently activated window is not provided for to receive input, provide another new window enabling receiving input, displaying the input in the activated window (Fig. 2: 54.)

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Andrew (5,371,844.)

**Claim 50:** Brown discloses the method according to claim 37, further comprising the steps of: arranging at first window (Fig. 5: 54) as an user interface to an application or service running in the computer device, capturing a value (Fig. 5: 62, CPU utilization percent) in a second window (Fig. 5: 62) for a parameter related to the application or service in the first window.

However, Brown does not explicitly disclose, dragging and dropping the second window onto the first window thereby transferring the value to the parameter related to the application and service running in the first window via the user interface. Andrew discloses a method for adjusting elements of a GUI, including:

Art Unit: 2174

- a. dragging and dropping the second window onto the first window thereby transferring the value to the parameter related to the application and service running in the first window via the user interface (8:4-39.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Brown and Andrew. One would have been motivated to include the teaching of Andrew in Brown so as to enable quick and easy modification of windows (Andrew, 2:62-68.)

Claims 54 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Harding (5,574,908.)

**Claim 54:** Brown discloses the method according to claim 53. However, Brown does not explicitly disclose wherein the step of receiving input in the activated window comprises activating a parsing application for received text in the activated window. Harding discloses a method and apparatus for validating function for input (9:48-56.) Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a dragging and dropping operation as disclosed by Harding in the Brown so as utilize a commonly provided and expected means of GUI element interaction.

**Claim 55:** Brown discloses the method according to claim 54. However, Brown does not explicitly disclose wherein the activating of the parsing is provided for by dragging and

Art Unit: 2174

dropping the window receiving the input on to another window comprising the parsing application. Harding discloses a method and apparatus for using a dragging and dropping operation so as to activate a parsing function (9:48-56.) Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a dragging and dropping operation as disclosed by Harding in the Brown so as utilize a commonly provided and expected means of GUI element interaction.

Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown

**Claim 56:** Brown discloses the method according to claim 37. However, Brown does not explicitly disclose wherein the step of displaying the evolving instances of a window for a specific application or service comprises starting the displaying when touching or stroking a surface of the display with an artifact, or a finger. The Examiner takes Official Notice that it is old and well known in computing arts to utilize other forms of input such as touch-screen displays. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a touch-screen display in Brown so as to cause displaying of windows. One would have been motivated to use touch-screen display input as it was a common input device used.

### ***Response to Arguments***

Applicant's arguments with respect to claims 37-57 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven P Sax/  
Primary Examiner, Art Unit 2174

AB  
11/21/2009